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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

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11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 JASON ANTHONY LIEBOLD,  
15 Defendant.  
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2:15-mj-340-VCF

**STIPULATION TO CONTINUE**  
**PRELIMINARY HEARING**  
(First Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United  
18 States Attorney, and Jiamie Chen, Assistant United States Attorney, counsel for the United States  
19 of America, Rene L. Valladares, Federal Public Defender, and Rebecca A. Levy, Assistant Federal  
20 Public Defender, counsel for JASON ANTHONY LIEBOLD, that the preliminary hearing currently  
21 scheduled on August 21, 2015 at 4:00 p.m., be vacated and be continued to a date and time  
22 convenient to the Court, but no longer than forty five (45) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. The parties are currently involved in negotiations to resolve this matter pre-  
25 indictment.
- 26 2. The defendant is detained and does not oppose a continuance.
- 27 3. The parties are in agreement to the continuance.

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1           4.       Additionally, denial of this request for continuance could result in a miscarriage of  
2 justice. The additional time requested by this Stipulation is excludable in computing the time within  
3 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States  
4 Code, Section 3161 (h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering  
5 the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6           This is the first request for a continuance of the preliminary hearing.

7           DATED this 19<sup>th</sup> day of August, 20152.

8           RENE L. VALLADARES  
9           Federal Public Defender

DANIEL G. BOGDEN,  
United States Attorney

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11           /s/ Rebecca Levy  
12           REBECCA LEVY  
13           Assistant Federal Public Defender

/s/ Jiamie Chen  
14           JIAMIE CHEN  
15           Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No.: 2:15-mj-340-VCF

Plaintiff,

ORDER

vs.

JASON ANTHONY LIEBOLD,

Defendant.

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties are currently involved in negotiations to resolve this matter pre-indictment.
2. The defendant is detained and does not oppose a continuance.
3. The parties are in agreement to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161 (h)(1)(D) and Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

This is the first request for a continuance of the preliminary hearing..

**CONCLUSIONS OF LAW**

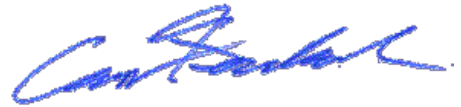
The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

1 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United  
2 States Code, Section 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, §§ 3161 (h)(7)(A),  
3 when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and  
4 3161(h)(7)(B)(iv).

5 **ORDER**

6 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled  
7 on August 21, 2015 at 4:00 p.m., be vacated and continued to  
8 **October 5, 2015** at the hour of 4:00 p.m.; in courtroom 3D.

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10 DATED this 21<sup>st</sup> day of August, 2015.

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12 UNITED STATES MAGISTRATE JUDGE  
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